**HON'BLE SRI JUSTICE L.NARASIMHA REDDY**

**WRIT PETITION No. 12766 of 2007**

**Dated 25th June 2007**

Between:

Pirangi Narayana Reddy.

...Petitioner

and

Inspector General of Stamps and Registration and another.

...Respondents

**HON'BLE SRI JUSTICE L.NARASIMHA REDDY**

**WRIT PETITION No. 12766 of 2007**

**O R D E R:**

The petitioner is said to have entered into an agreement of sale-cum-GPA in respect of land admeasuring Ac.16.28 guntas in Survey No.341/4E, Ac.5.23 guntas in Survey No.341/4A2, Ac.5.23 guntas in Survey No.341/4 and Ac.5.23 guntas in Survey No.341/4A1 of Mittakoduru Village, Parigi Mandal, Ranga Reddy District. The petitioner complains that the second respondent is not entertaining the agreement of sale-cum-

GPA presented by him, allegedly on the basis of instructions received from the superior authorities.

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue.

Till recently, the scope of refusal to register a document was very limited. The A.P. State Legislature had introduced Section 22-A of the Registration Act 19 of 2007, which provided for several contingencies, under which the registering authority can refuse to register a document. In addition to that, Section 5 of the A.P. Assigned Lands (Prohibition of Transfer) Act, 1977 prohibits registration of documents in relation to assigned lands. However, unless the document is attracted by the said provisions, the registering authority cannot refuse registration. Whenever any such reasons or grounds are noticed, they must be communicated to the parties to the document, without any loss of time. Further, the authority cannot refuse to receive the document, because the actual consideration would arise, only after it is received and examined with reference to the relevant provisions. Mere receiving of document does not confer any right or lead to any change in relationship vis-à-vis the property.

Hence, the Writ Petition is disposed of, directing

that the second respondent shall receive the documents, that may be presented by the petitioner, but shall examine the same with reference to the relevant provisions of law, including Section 22-A of the Registration Act 19 of 2007 and Section 5 of the A.P. Assigned Lands (Prohibition of Transfer) Act, 1977. In case, the lands are not covered by the said provisions, the documents shall be admitted to registration, on being satisfied about the adequacy of stamp duty and registration charges. On the other hand, if the registration is prohibited under the said provisions, the reasons shall be communicated to the petitioner, within ten (10) from the date of presentation of the documents. There shall be no order as to costs.

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**25.06.2007**

**Note: Issue C.C. in one (1) week.**

(B/o)

**JSU**